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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,047	07/30/2001	Yukitoshi Takeuchi	1232-4745	9825
27123	7590	12/15/2004	EXAMINER	
MORGAN & FINNEGAN, L.L.P. 3 WORLD FINANCIAL CENTER NEW YORK, NY 10281-2101			LEE, CHEUKFAN	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/918,047		TAKEUCHI ET AL.	
	Examiner		Art Unit	
	Cheukfan Lee		2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4 and 5 is/are rejected.
- 7) ☒ Claim(s) 3 and 6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-6 are pending. Claims 1 and 4 are independent.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1- are rejected under 35 U.S.C. 102(e) as being anticipated by Takahara (U.S. Patent No. 6,285,441).

Regarding claim 1, Takahara discloses an image reader (image reading apparatus) having an image sensor unit (2) (image reading unit). During scanning of an original placed on a surface of an original table, the line sensor unit (2) is moved in the subscanning direction of the reader or apparatus along a guide shaft (6) provided at a position that divides the image reading unit into two regions (Fig. 2). The reader or apparatus comprises a holding member (4) extending along the image sensor unit (2) in a direction perpendicular to the guide shaft (6), for holding the sensor unit (6) at two ends thereof. According to the structures shown in Figs. 2 and 3, it is inherent that the holding member (4) is pivotal about the guide shaft, since there is one guide shaft (6). The reader or apparatus further comprises a spring (7a) (biasing means), provided between the sensor unit (2), at one of the two regions thereof (the right region in Fig. 3),

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and the holding member (4) (part of 4), for biasing the image sensor unit (2) through the holding member (4) toward the original table. The original table (Fig. 2) is over the two regions (left and right regions on the sides of the guide shaft 6) (col. 3, line 58 – col. 5, line 60).

Regarding claim 2, according to Fig. 3 of Takahara, the holding member (4) (part of holding member 4) urges the other region (the left region, since the right region is interpreted to read on the claimed one region) of the line sensor unit (2) toward the original table (1) by a biasing force of the biasing means (spring 7a) which acts on one region (the right region) of the line sensor unit (2), and inherently a lever operation of the guide shaft (6), since the holding member (4) is supported on the guide shaft (6) at substantially the middle of the holding member (4) in the longitudinal direction of the line sensor unit (2) and holding member (4).

4. Claims 3 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is an examiner's statement of reasons for allowance:

Claims 3 and 6 requires that one of the regions of the image reading unit (line sensor unit) be supported to be movable pivotally and **perpendicularly** by the holding member and the other region of the image reading unit (line sensor unit) be pivotally supported by the holding member. The closest prior art Takahara does not disclose the

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“movable perpendicularly” limitation. Both regions (left and right) of Takahara are supported pivotally. None of the regions is supported movably perpendicularly by the holding member (4).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Costrop et al. (U.S. Patent No. 5,194,898) discloses an optical scanning apparatus having means to stabilize the optical unit against the platen.

Peng (U.S. Patent No. 6,026,261) discloses a platen type scanner driving mechanism (Fig. 6).

Yamauchi et al. (U.S. Patent No. 6,717,702) discloses an image reading apparatus (Fig. 1).

Chiang (U.S. Patent No. 6,330,084) discloses a flatbed scanner with a self-driven scanning module.

Chang et al. (U.S. Patent No. 6,091,516) discloses a device for holding and moving a contact image sensor.

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (703) 305-4867. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
Dec. 6, 2004



Cheukfan Lee